

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Allan D. McLean

Application No. 10/660,458

Filed: September 9, 2003

Confirmation No. 4909

For: APPLE TREE NAMED 'MC 38'

Examiner: Susan B. McCormick

Art Unit: 1661

Attorney Reference No. 6582-66871

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)

Date Mailed January 14, 2004

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SECOND PRELIMINARY AMENDMENT

Before examining the present application, Applicant requests that the present amendment be entered.

Amendments to the Specification begin on page 2.

Remarks begin on page 4.